

KURT C. FAUX, ESQ.
Nevada Bar No. 003407
COLIN R. CHIPMAN
Nevada Bar No. 10544
THE FAUX LAW GROUP
1540 West Warm Springs Road, Suite 100
Henderson, Nevada 89121
Telephone: (702) 458-5790
Facsimile: (702) 458-5794
Email: kfaux@fauxlaw.com
cchipman@fauxlaw.com
Attorney for American Contractors Indemnity Company

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of American for the use and
benefit of CONSOLIDATED ELECTRICAL
DISTRIBUTORS, INC., a foreign corporation,

Plaintiff,

v.

MT. GRANT ELECTRIC, an unknown entity;
DAY & ZIMMERMANN HAWTHORNE
CORPORATION; a Delaware corporation; and
AMERICAN CONTRACTORS INDEMNITY
CO., a surety,

Defendants.

AMERICAN CONTRACTORS INDEMNITY
COMPANY,

Crossclaimant,

v.

MT. GRANT ELECTRIC,

Crossdefendant.

AMERICAN CONTRACTORS INDEMNITY
COMPANY,

Third Party Plaintiff,

v.

MERLIN J. HALL, an individual; KATHY
THYNE, an individual; DOES I through X,
inclusive,

Third Party Defendants.

Case No.: 3:06-CV-00309-BES-RAM

ORDER GRANTING

**AMERICAN CONTRACTORS
INDEMNITY COMPANY'S EX-PARTE
MOTION FOR:**

**1) AN ORDER REQUIRING JUDGMENT
DEBTORS MERLIN J. HALL AND
KATHY THYNE TO APPEAR FOR AN
EXAMINATION OF JUDGMENT
DEBTOR; AND**

**2) AN ORDER REQUIRING MERLIN J.
HALL AND KATHY THYNE TO
PRODUCE FINANCIAL DOCUMENTS AT
THE EXAMINATION OF JUDGMENT
DEBTOR**

AMERICAN CONTRACTORS INDEMNITY COMPANY's ("ACIC") Ex-Parte Motion For:
 1) an Order Requiring Judgment Debtors Merlin J. Hall and Kathy Thyne to Appear for an Examination
 of Judgment Debtor; 2) an Order Requiring Merlin J. Hall and Kathy Thyne to Produce Financial
 Documents at the Examination of Judgment Debtor; having come before this Court, and the Court
 having reviewed the pleadings and papers on file herein,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. Judgment Debtor Merlin J. Hall is order to appear at 105 S. "A" St., Hawthorne, NV
 89415, on Tuesday, December 14, 2010 at 10:00 a.m., or at a later time and date to be designated by
 correspondence from ACIC's counsel, to testify under oath concerning his property, and specifically the
 persons and real properties enumerated below. Further, said Judgment Debtor is hereby forbidden in
 the meantime from dispensing of any real and personal property not exempt from execution.

2. Judgment Debtor Kathy Thyne is order to appear at 105 S. "A" St., Hawthorne, NV
 89415, on Tuesday, December 14, 2010 at 1:00 p.m., or at a later time and date to be designated by
 correspondence from ACIC's counsel, to testify under oath concerning her property, and specifically the
 persons and real properties enumerated below. Further, said Judgment Debtor is hereby forbidden in
 the meantime from dispensing of any real and personal property not exempt from execution.

3. Judgment Debtors Merlin J. Hall and Kathy Thyne are also ordered to bring with them
 at the time of their examinations noted above all the following documents spanning the time frame from
 June 13, 2005, the date on which the Judgment Debtors executed the General Indemnity Agreement in
 favor of ACIC, to the date of examinations:

- a. Any and all monthly and annual account statements issued by any bank, credit
 union, or similar financial institution since June 13, 2005;
- b. Any and all bonds, stock accounts and certificates in which Merlin J. Hall and/or
 Kathy Thyne, jointly or individually, as trustor, trustee, or beneficiary, held an
 interest at anytime since June 13, 2005;
- c. Any and all financial statements or records since June 13, 2005 showing real or
 personal assets in which Merlin J. Hall and/or Kathy Thyne, jointly or
 individually, as trustor, trustee, or beneficiary, held an interest;

- d. All tax returns filed since June 13, 2005;
- e. Any and all financial statements since June 13, 2005, containing information regarding any personal or real property in which Merlin J. Hall and/or Kathy Thyne, jointly or individually, as trustor, trustee, or beneficiary, held an interest;
- f. Any and all titles to real property in which Merlin J. Hall and/or Kathy Thyne, jointly or individually, as trustor, trustee, or beneficiary, held an interest at anytime since June 13, 2005;
- g. All titles to any motor vehicle, equipment or motorized craft of any nature in which Merlin J. Hall and/or Kathy Thyne, jointly or individually, as trustor, trustee, or beneficiary, held an interest at anytime since June 13, 2005;
- h. Any and all corporate filings, certificates, or other documents regarding Merlin J. Hall and/or Kathy Thyne's interest, whether held jointly or individually, as trustor, trustee, or beneficiary, in any other entity or business;
- i. All life insurance policies;
- j. Location and address of any out of state property;
- k. All cash and the location thereof;
- l. Any and all stock certificates, contracts, or other documents showing Merlin J. Hall and/or Kathy Thyne's financial interests, whether held whether held jointly or individually, as trustor, trustee, or beneficiary;
- m. For each contract or subcontract of on-going projects involving Mt. Grant Electric, Merlin J. Hall and/or Kathy Thyne, whether jointly or individually, or through any business entity or trust in which Mt. Grant Electric, Merlin J. Hall and/or Kathy Thyne, jointly or individually, held an interest, a description of the project, including but not limited to the owner or contractor on the project, the name of the project, the location of such projects, the name and telephone number of the contact person of the owner or contractor on the project, the amount of each contract or subcontract, and the amount currently outstanding and owed to Mt. Grant Electric, Merlin J. Hall and/or Kathy Thyne;

- o. All contracts, subcontracts, pay applications, and invoices on any of the projects described in item number "m" above;
- p. For each contract or subcontract of completed projects involving Mt. Grant Electric, Merlin J. Hall and/or Kathy Thyne, whether jointly or individually, or through any business entity or trust in which Mt. Grant Electric, Merlin J. Hall and/or Kathy Thyne, jointly or individually, held an interest and for which Merlin J. Hall and/or Kathy Thyne remains unpaid, a description of the project, including but not limited to the owner or contractor on the project, the name of the project, the location of such projects, the name and telephone number of the contact person of the owner or contractor on the project, the amount of each contract or subcontract, and the amount currently outstanding and owed to Mt. Grant Electric, Merlin J. Hall and/or Kathy Thyne;
- q. All contracts, subcontracts, pay applications, and invoices on any of the projects described in item number "p" above;
- r. Any and all documents regarding any trust in which Merlin J. Hall and/or Kathy Thyne held an interest, whether jointly or individually, as grantor or grantee, or as trustor, trustee or beneficiary, since June 13, 2005;
- s. Any and all documents regarding any conveyance since June 13, 2005 of any interest in any real property held by Merlin J. Hall and/or Kathy Thyne, whether jointly or individually, as grantor or grantee, or as trustor, trustee or beneficiary; and
- t. Any and all checks or payments issued by any person or entity to Merlin J. Hall and/or Kathy Thyne or to any other person or entity for the ultimate benefit of Merlin J. Hall and/or Kathy Thyne.

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1 Failure to appear at the time and place and to bring the documents and information described
2 above will result in a bench warrant being issued for your arrest.

3 DATED: November 3, 2010



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5 UNITED STATE MAGISTRATE JUDGE

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